

Applicant : Riccardo Dalla Favera
Serial No.: 09/585,023
Filed : June 1, 2000
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REMARKS

Claim 89 is pending and under examination in the subject application. By this Amendment, applicant has amended claim 89. Accordingly, claim 89 is still pending and under examination.

In view of the remarks below, applicant maintains that the Examiner's rejection has been overcome, and respectfully requests that they be withdrawn.

Rejection Under 35 U.S.C. §112, First Paragraph

The Examiner rejected claim 89 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner alleges that the amendment to claim 89 adding the limitation "or a fragment thereof" introduces new matter into the disclosure. The Examiner further states that applicant is required to cancel the new matter in reply to the April 2, 2004 Office Action.

In response, but without conceding the correctness of the Examiner's rejection, applicant notes that claim 89 has been amended to delete the phrase "or a fragment thereof". Accordingly, applicant maintains that amended claim 89 is adequately supported by the disclosure.

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In view of the above remarks, applicant maintains that claim 89 satisfies the provisions of 35 U.S.C. §112, first paragraph.

Conclusion

In view of the remarks above, applicant maintains that the Examiner's rejection has been overcome. Applicant respectfully requests that the Examiner reconsider and withdraw same, and solicits allowance of the pending claim.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with this Amendment. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
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7/2/07
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